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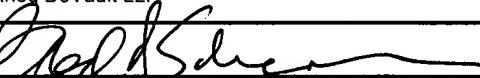
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Total Number of Pages in This Submission

Application Number	09/870,023
Filing Date	May 30, 2001
First Named Inventor	Charles L. Branch et al.
Art Unit	3733
Examiner Name	Pedro Philogene
Attorney Docket Number	MSDI-213/PC365.05

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks		

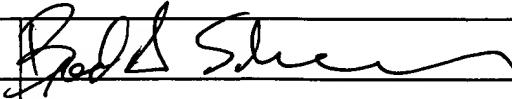
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	April 7, 2008	Reg. No.	45,431

CERTIFICATE OF TRANSMISSION/MAILING

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Date April 7, 2008

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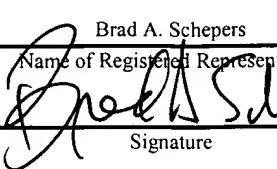
In re patent application of) Before the Examiner:
Charles L. Branch et al.) Pedro Philogene
)
Application Serial No.: 09/870,023) Group Art Unit: 3733
)
Filed: May 30, 2001) Ref. No.: MSDI-213/ PC365.05
)
INTERBODY FUSION GRAFTS) April 7, 2008
AND INSTRUMENTATION)

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated January 11, 2008, please enter and consider the following remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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Brad A. Schepers	
_____ Name of Registered Representative	
 _____ Signature	
April 7, 2008	
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INTRODUCTORY COMMENTS

Claims 63-65, 67, 69-89, 91, 92 and 94-104 were pending in the subject application for the non-final Office Action mailed on January 11, 2008. Each of the pending claims has been rejected on various grounds. In view of the following remarks, reconsideration and allowance of the subject application are hereby requested.